

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ANTONIO MASSIE,

1:00-cv-05248-OWW-LJO-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS** (Doc. 93)

vs.

RICHARD EARLY, et al.,

**ORDER DISMISSING ACTION, WITH  
PREJUDICE, FOR FAILURE TO OBEY  
A COURT ORDER AND FAILURE TO  
PROSECUTE**

Defendants.

Plaintiff Antonio Massie ("plaintiff") is a former state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On July 19, 2006, the Magistrate Judge filed a Findings and Recommendations herein which was served on the parties and which contained notice that any objections to the Findings and Recommendations were to be filed within fifteen days. To date, neither party has filed an objection to the Magistrate Judge's Findings and Recommendations.

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1 In accordance with the provisions of 28 U.S.C. §  
2 636(b) (1) (C) and Local Rule 73-305, this Court has conducted a de  
3 novo review of this case. Having carefully reviewed the entire  
4 file, the Court finds the Findings and Recommendations to be  
5 supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed July 19, 2006,  
8 is ADOPTED IN FULL; and,

9 2. This action is DISMISSED, with prejudice, for failure  
10 to obey the Court's order of March 9, 2006, and failure to  
11 prosecute and to obey a court order to file a pre trial  
12 statement.

13  
14 IT IS SO ORDERED.

15 **Dated: August 17, 2006**  
16 **emm0d6**

**/s/ Oliver W. Wanger**  
**UNITED STATES DISTRICT JUDGE**